



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/914,055	01/16/2002	Gye Young Song	P/923-341	8499

2352 7590 11/18/2003

OSTROLENK FABER GERB & SOFFEN
1180 AVENUE OF THE AMERICAS
NEW YORK, NY 100368403

EXAMINER

RODRIGUEZ, WILLIAM H

ART UNIT	PAPER NUMBER
----------	--------------

3746

DATE MAILED: 11/18/2003

14

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/914,055

Applicant(s)

SONG, GYE YOUNG

Examiner

William H. Rodriguez

Art Unit

3746

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 6-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 6-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10/20/03 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☒ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

This office action is in response to the request for reconsideration filed 10/20/03. In making the below rejections, the examiner has considered and addressed each of the applicants arguments. Since the examiner has applied new grounds of rejection, this office action is being made non-final to afford the applicant the opportunity to respond to the new grounds of rejection.

Claim Objections

1. Claim 6 is objected to because of the following informalities: The word --support-- should be inserted between the words "spring" and "member". Appropriate correction is required.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 6-8 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
4. Claim 6 recites the limitation "the lamination core" in lines 17-18. There is insufficient antecedent basis for this limitation in the claim.
5. Claim 7 recites the limitation "the flat surface" in line 3. There is insufficient antecedent basis for this limitation in the claim.

Art Unit: 3746

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 6-8 are rejected under 35 U.S.C. 102(b) as being anticipated by Prior art **Figures 1 and 2**.

With respect to claim 6, Prior art **Figures 1 and 2** teach a piston supporting structure for a linear compressor, the linear compressor including a cylinder 4, a piston 8 reciprocating in an axial direction of the cylinder 4, an inner lamination 6 fixed on a circumference of the cylinder 4, a cover member 10 placed at a distance from the piston 8, a first spring 12 disposed between the cover member 10 and the piston 8, a second spring 11 disposed between the piston 8 and the inner lamination 6, comprising: a first spring support member 17 fixed on the cover member 10 and formed of a ring shaped plate 17a on which an end of the first spring 12 is supported to be movable in a radial direction of the first spring 12; a second spring support member 18 fixed on one side of the piston 8, the second support member 18 having a ring shaped plate portion 18a on which another end of the first spring 12 is supported and a circumferential unit 18b extending from an inner circumference of the ring shaped plate portion 18a toward the cover member 10 in the axial direction of the piston 8 for being fixed with an inner circumference of the first spring 12; a third spring support member 19 fixed on an opposite side of the piston 8 on which the second spring support member is 18 fixed, the third spring support member 19 having a ring shaped plate portion 19a on which an end of the second spring 11 is supported and a

Art Unit: 3746

circumferential unit 19b extending from an inner circumference of the ring shaped plate portion 19a toward the inner lamination 6 in an axial direction of the piston 8 for being fixed with an inner circumference of the second spring 11; and a fourth spring support member 20 fixed on the inner lamination 6 and formed of a ring shaped plate 20a on which another end of the second spring 11 is supported to be movable in a radial direction of the second spring 11. See Prior art **Figures 1 and 2.**

With respect to claim 7, Prior art **Figures 1 and 2** teach that the first spring support member 17 comprises: a ring shaped plate portion 17a formed of a flat surface perpendicular to the first spring for allowing radial movement of the first spring 12; and a circumferential unit 17b extending from an inner circumference of the ring shaped plate portion 17a in an axial direction of the piston 8 at a distance from the inner circumference of the first spring 12 for limiting a radial movement of the first spring 12.

With respect to claim 8, Prior art **Figures 1 and 2** teach that the fourth spring support member 20 comprises: a ring shaped plate portion 20a formed of a flat surface perpendicular to the second spring 11 for allowing a radial movement of the second spring 11; and a circumferential unit 20b extended from an inner circumference of the ring shaped plate portion 20a in an axial direction of the piston 8 at a distance from the inner circumference of the second spring 11 for limiting radial movement of the second spring 11.

Response to Arguments

7. Applicant's arguments with respect to claims 6-8 have been considered but are moot in view of the new ground(s) of rejection.

Art Unit: 3746

8. The indicated allowability of claims 6-8 is withdrawn in view of the newly discovered reference(s) to Prior art Figures 1 and 2. See Rejection above.


Contact information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to William H. Rodriguez whose telephone number is 703-605-1140. The examiner can normally be reached on Monday-Friday 7:30 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Justine R Yu can be reached on 703-308-2675. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0861.

W.R


JUSTINE R. YU
PRIMARY EXAMINER